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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,219	03/23/2004	Tohru Oshita	0505-1287PUS1	1628
2292	7590	02/09/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			WHITE, DWAYNE J	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	

3745

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/806,219

Applicant(s)

OSHITA ET AL.

Examiner

Dwayne J. White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-18 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6, 8, 9, 11 and 13 is/are rejected.
- 7) ☒ Claim(s) 3, 7, 10 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/19/06.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment filed 14 December 2005 has been fully considered. Claims 1-4, 6-11 and 13-18 are pending. Upon further consideration and in view of newly cited prior art, the claims indicated as having allowable subject matter in the previous Office Action has been withdrawn. The Examiner regrets any inconvenience this may have cause Applicant.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 6, 8, 9, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zaremba in view of Fukuda (6,523,627). Zaremba discloses a water pump for cooling an engine in which the impeller 8 is accommodated in a pump housing providing on an engine body and mounted at the end of a rotor shaft 4 comprising: a fitted recess (See figure 1) formed in the impeller for fitting the end of the rotor shaft a least partially within the recess and a bolt 7 inserted through the central portion of the impeller and being threaded in a coaxial direction with the end of the rotor shaft that is in the fitted recess. The impeller further includes an engaging recess in which the head of the bolt is fitted. A seal 9 is mounted relative to the impeller and the rotor shaft. In regards to claims 6 and 13, since Zaremba discloses the claimed structure, it is the position of the Examiner that the water pump of Zaremba would be capable of

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performing the function of applying the bending load on the impeller and rotor shaft as claimed.

Zaremba does not disclose that the second end of the rotational shaft is connected to an oil pump.

Fukuda teaches a water pump for cooling an engine wherein the impeller shaft of the water pump is connected to an oil pump at its second end. Since both Fukuda and Zaremba disclose water pump for use in internal combustion engines, it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify the shaft of Zaremba, with the teaches of Fukuda, by connecting the second end of the impeller shaft to an oil pump for the purpose of operating the oil pump.

## **CONCLUSION**

### ***Allowable Subject Matter***

Claims 15-18 are allowed.

Claims 3, 7, 10 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

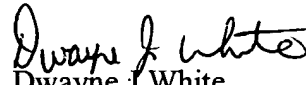
### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwayne J. White whose telephone number is (571) 272-4825. The examiner can normally be reached on 7:00 am to 4 pm T-F and alternate Mondays.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Dwayne J White  
Patent Examiner  
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DJW

  
EDWARD K. LOOK  
SUPERVISORY PATENT EXAMINER  
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2/4/06